

**RESOLUTION SUPPORTING STATEWIDE CONTINGENCY
FUNDS FOR THE NORTH CAROLINA DEPARTMENT OF
TRANSPORTATION**

WHEREAS, resolutions of support from local governments are routinely requested for the North Carolina Department of Transportation to receive contingency funds; and

WHEREAS, through the adoption of this resolution, the Town is requesting the release of \$125,000 in Statewide Contingency Funds from the North Carolina Department of Transportation to the Town of Matthews for improvements to Crestdale Road; and

WHEREAS, the State of North Carolina has Statewide Contingency Funds available for transportation projects such as Crestdale Road; and

WHEREAS, Crestdale Road is a Town-maintained street; and

WHEREAS, the Town has also received a \$125,000 grant through North Carolina Senate President Pro Tem Berger's office for improvements to Crestdale Road.

NOW THEREFORE, I, Mayor Paul F. Bailey and the Board of Commissioners of the Town of Matthews do hereby support statewide contingency funds for the North Carolina Department of Transportation.

ADOPTED by the Board of Commissioners of the Town of Matthews this, the 11th day of March, 2019.



Mayor Paul F. Bailey



PRELIMINARY ASSESSMENT RESOLUTION

WHEREAS, on the 30th day of April 2019, the property owners of the Streamside of Matthews Subdivision streets, being Lightwood Drive, Cochrane Woods Lane (from the entrance of the subdivision to its termini), Jerry Lane (from the entrance into the subdivision to its termini) and Acacia Street, petitioned the Town Board of Commissioners to make repairs and/or reconstruct the street, sidewalks, curbs, gutters and storm drainage systems on said streets to bring it up to the Town standards for acceptance into the Town street system and to assess 100% of the cost thereof to the adjoining property owners; and

WHEREAS, the Town Board was desirous to improve the said street by the special assessment process.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Town of Matthews, North Carolina:

1. The Town Board hereby intends to undertake the project to be known as the repairing and/or constructing Lightwood Drive, Acacia Street, Cochran Woods Lane (within the Streamside of Matthews Subdivision) and Jerry Lane (within the Streamside of Matthews Subdivision), its sidewalks, curbs, gutters and storm drainage systems to meet the Town standards for acceptance into the Town street system through the special assessment process.

2. The hereinabove designated streets or portions of streets totally within the Streamside of Matthews Subdivision, lying within the Town of Matthews, were not completed at the time the original developer abandoned the project. The total number of owners of lands abutting upon the street or streets or parts of street or streets proposed by the said Petition to be improved is 14. The number of said owners who signed the Petition is 11. Further, total lineal feet of frontage of said land upon the street or streets or parts of street or streets proposed by said Petition to be improved is 1,916.11 feet. The number of said lineal feet of frontage represented by the property of said owners who signed the Petition is 1,427.38 feet. The submitted Petition has requested that 100% of the costs be assessed to the adjoining property owners.

3. The assessment would be based on the number of lots served at an equal rate per lot as provided for in the General Statutes.

4. That 100% of the cost shall be assessed.

5. There shall be no assessments to be held in abeyance.

6. The proposed terms and payments as requested in the Petition shall be up to 8 years for installment payments at an interest rate of 5%.

THEREFORE, IT IS HEREBY ORDERED that a public hearing shall be held on June 10, 2019, at 7:00 p.m., in the Matthews Town Hall, 232 Matthews Station Street, Matthews, North Carolina 28105, said public hearing on all matters covered by this Preliminary Resolution.

This the 13th day of May 2019.



Mayor

ATTEST:



Town Clerk

PRELIMINARY ASSESSMENT RESOLUTION

WHEREAS, on the 31st day of July 2019, the property owners of the Streamside of Matthews Subdivision streets, being Lightwood Drive, Cochrane Woods Lane (from the entrance of the subdivision to its termini), Jerry Lane (from the entrance into the subdivision to its termini) and Acacia Street, petitioned the Town Board of Commissioners to make repairs and/or reconstruct the street, sidewalks, curbs, gutters and storm drainage systems on said streets to bring it up to the Town standards for acceptance into the Town street system and to assess 79% of the cost thereof to the adjoining property owners; and

WHEREAS, the Town Board was desirous to improve the said street by the special assessment process.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Town of Matthews, North Carolina:

1. The Town Board hereby intends to undertake the project to be known as the repairing and/or constructing Lightwood Drive, Acacia Street, Cochran Woods Lane (within the Streamside of Matthews Subdivision) and Jerry Lane (within the Streamside of Matthews Subdivision), its sidewalks, curbs, gutters and storm drainage systems to meet the Town standards for acceptance into the Town street system through the special assessment process.

2. The hereinabove designated streets or portions of streets totally within the Streamside of Matthews Subdivision, lying within the Town of Matthews, were not completed at the time the original developer abandoned the project. The total number of owners of lands abutting upon the street or streets or parts of street or streets proposed by the said Petition to be improved is 14. The number of said owners who signed the Petition is 10. Further, total lineal feet of frontage of said land upon the street or streets or parts of street or streets proposed by said Petition to be improved is 1,916.11 feet. The number of said lineal feet of frontage represented by the property of said owners who signed the Petition is 1,183.92 feet. The submitted Petition has requested that 79% of the costs be assessed to the adjoining property owners.

3. The assessment would be based on the number of lots served at an equal rate per lot as provided for in the General Statutes.

4. That 79% of the cost shall be assessed.

5. There shall be no assessments to be held in abeyance.

6. The proposed terms and payments as requested in the Petition shall be up to 8 years for installment payments at an interest rate of 5%.

THEREFORE, IT IS HEREBY ORDERED that a public hearing shall be held on September 09, 2019, at 7:00 p.m., in the Matthews Town Hall, 232 Matthews Station Street, Matthews, North Carolina 28105, said public hearing on all matters covered by this Preliminary Resolution.

This the 5th day of August 2019.

Mayor John E. Higdon

ATTEST:

Veril Annapino
Town Clerk

RESOLUTION OPPOSING LEGISLATION THAT DIMINISHES LOCAL GOVERNMENTAL CONTROL

WHEREAS, on April 25, 2016 the Town of Matthews adopted a resolution opposing state legislation that preempted local control of local issues; and


WHEREAS, in recent years the North Carolina General Assembly has taken further measures to diminish the legislative authority of local governments in multiple ways, including reducing local authority over stormwater controls, preventing local governments from effectively covering construction costs through performance bonds, and the loss of citizens' ability to use the protest petition process; and

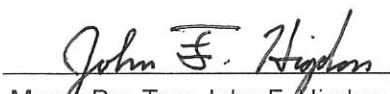
WHEREAS, the Matthews Board of Commissioners believes in the concept of local control over matters of local concern and that it is the role of the duly elected legislative body of the Town of Matthews to make the sometimes-tough decisions concerning local issues; and

WHEREAS, local solutions arrived at by a public, transparent, and collaborative process are preferable to legislative, "one size fits all" solutions from Raleigh.

NOW, THEREFORE, we, the Mayor, Board of Commissioners, and the citizens of Matthews, North Carolina, do hereby ask the North Carolina General Assembly to work in conjunction and partnership with local officials in matters of local control and allow municipal and county governments to govern their citizens in the manner they deem appropriate.

IN WITNESS WHEREOF, we have hereunto set our hands and caused the seal of the Town of Matthews to be affixed this 26th day of August, 2019.


Mayor Paul F. Bailey


Mayor Pro-Tem John F. Higdon


Commissioner Barbara Dement


Commissioner Christopher Melton


Commissioner Jeff Miller


Commissioner Kress Query


Commissioner John Urban



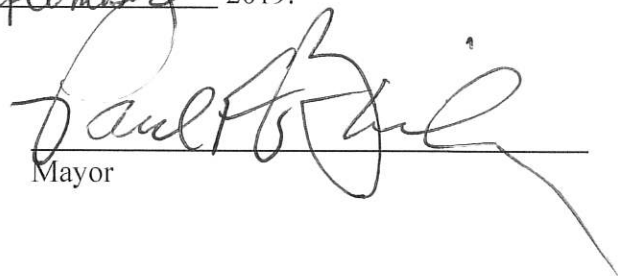
RESOLUTION ADDING STREETS TO THE TOWN'S STREET SYSTEM

PURSUANT, to Article 15 of Chapter 160A of the General Statutes of North Carolina, the Board of Commissioners of the Town of Matthews hereby adopts this resolution to add to the Town's street system from the Streamside of Matthews Subdivision:

Lightwood Drive
Cochrane Woods Lane (a portion)
Jerry Lane (a portion)
Acacia Street

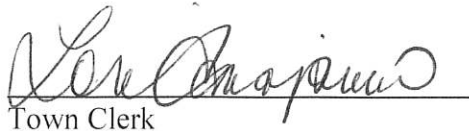
NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Town of Matthews, North Carolina, that it hereby adds Lightwood Drive, Cochrane Woods Lane (from the entrance of the subdivision to its termini), Jerry Lane (from the entrance into the subdivision to its termini) and Acacia Street in the Streamside of Matthews Subdivision to the Town's street system.

RESOLVED, this the 9th day of September 2019.



Mayor

ATTEST:



Town Clerk

RESOLUTION BY THE TOWN BOARD DIRECTING THAT THE IMPROVEMENTS
TO THE STREETS WITHIN STREAMSIDE OF MATTHEWS SUBDIVISION AND
MORE PARTICULARLY LIGHTWOOD DRIVE, COCHRANE WOODS LANE
(FROM THE ENTRANCE OF THE SUBDIVISION TO ITS TERMINI),
JERRY LANE (FROM THE ENTRANCE INTO THE SUBDIVISION TO
ITS TERMINI) AND ACACIA STREET, BE UNDERTAKEN

WHEREAS, on the 31st day of July 2019, the property owners in the Streamside of Matthews Subdivision, petitioned the Town Board of Commissioners to make repairs and/or reconstruct the street, sidewalks, curbs, gutters and storm drainage systems on Lightwood Drive, Cochrane Woods Lane, Jerry Lane and Acacia Street all within the Subdivision, to bring said streets up to the Town standards for acceptance into the Town street system and to assess 79% of the cost thereof to the adjoining property owners; and

WHEREAS, the Town Board on August 05, 2019, adopted a Preliminary Assessment Resolution pursuant to the provisions of N.C.G.S. §160A-223, which said Resolution amongst other things included an Order calling for a public hearing to be held on September 09, 2019; and

WHEREAS, after due notice to the public and to the owners of the effected property, a public hearing thereon was duly held;

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Town of Matthews, North Carolina:

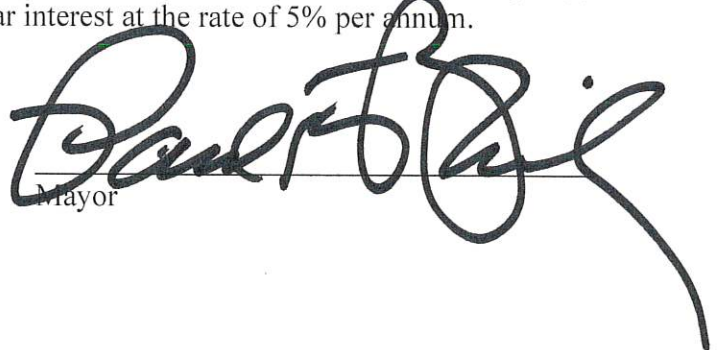
1. That Lightwood Drive, Cochrane Woods Lane (from the entrance of the subdivision to its termini), Jerry Lane (from the entrance into the subdivision to its termini) and Acacia Street, all within the Streamside of Matthews Subdivision, be improved in the following manner:

a. Reconstruction and repairs pursuant to the provisions of Chapter 160A, Article 10, of the General Statutes, to bring the streets to an acceptable standard to add them to the Town street system.

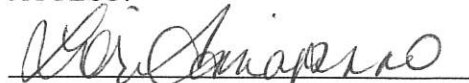
2. That 79% of the costs of said improvements be hereafter assessed upon the property receiving the improvements according to the assessment basis set out in the Petition as approved by the Board of Commissioners.

3. That the Assessment herein provided for shall be payable in cash or if any property owner shall so elect he shall have the option and privilege of paying the assessment in eight (8) equal annual installments, said installments to bear interest at the rate of 5% per annum.

This the 9th day of September 2019.


Mayor

ATTEST:


Town Clerk

Resolution Approving Financing Terms

WHEREAS: The Town of Matthews (the "Town") has previously determined to undertake a project for the financing for the purchase of 171 LED pedestrian light fixtures, (the "Project"), and the Town Manager has now presented a proposal for the financing of such Project.

BE IT THEREFORE RESOLVED, as follows:

I. The Town hereby determines to finance the Project through Branch Banking and Trust Company ("BB&T"), in accordance with the proposal dated December 3, 2019. The amount financed shall not exceed \$300,000, the annual interest rate (in the absence of default or change in tax status) shall not exceed 2.32%, and the financing term shall not exceed three (3) years from closing.

2. All financing contracts and all related documents for the closing of the financing (the "Financing Documents") shall be consistent with the foregoing terms. The Town Manager and the Finance Director of the Town are hereby authorized and directed to execute and deliver any Financing Documents, and to take all such further action as they may consider necessary or desirable, to carry out the financing of the Project as contemplated by the proposal and this resolution.

4. The Finance Director is hereby authorized and directed to hold executed copies of the Financing Documents until the conditions for the delivery of the Financing Documents have been completed to such director's satisfaction. The Finance Director is authorized to approve changes to any Financing Documents previously signed by Town officers or employees, provided that such changes shall not substantially alter the intent of such documents or certificates from the intent expressed in the forms executed by such officers. The Financing Documents shall be in such final forms as the Finance Director shall approve, with the Finance Director's release of any Financing Document for delivery constituting conclusive evidence of such director's final approval of the Document's final form.

5. The Town shall not take or omit to take any action the taking or omission of which shall cause its interest payments on this financing to be includable in the gross income for federal income tax purposes of the registered owners of the interest payment obligations. The Town hereby designates its obligations to make principal and interest payments under the Financing Documents as qualified tax-exempt obligations for the purpose of Internal Revenue Code Section 265(b)(3).

6. The Town intends that the adoption of this resolution will be a declaration of the Town's official intent to reimburse expenditures for the project that is to be financed from the proceeds of the BB&T financing described above. The Town intends that funds that have been advanced, or that may be advanced, from the Town's general fund, or any other Town fund related to the project, for project costs may be reimbursed from the financing proceeds.

7. All prior actions of Town officers in furtherance of the purposes of this resolution are hereby ratified, approved and confirmed. All other resolutions (or parts thereof) in conflict with this resolution are hereby repealed, to the extent of the conflict. This resolution shall take effect immediately.

Approved this 9th day of December, 2019.

By: 

(Clerk)

By: 

(Mayor)

SEAL



**RESOLUTION ESTABLISHING THE TIME AND PLACE FOR THE REGULAR MEETING OF
THE BOARD OF COMMISSIONERS OF THE TOWN OF MATTHEWS AND
FURTHER ESTABLISHING ITS RULES OF PROCEDURE**

WHEREAS, N.C.G.S. 160A-71 requires that the Town Council shall fix the time and place for its regular meeting and further provides that the Council may adopt its own rules of procedure; and

WHEREAS, N.C.G.S. Section 143-318.12 requires that a current copy of a Resolution establishing the Town Board's regular meetings, showing time and place, be kept on file with the Town Clerk.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Town of Matthews, North Carolina, that beginning with January 2020 its regular meeting shall be held on the second and fourth Monday nights of each month at 7:00 P.M. at the Town Hall in Matthews, North Carolina; and

RESOLVED, the meetings of the Board of Commissioners whether it be special or regular shall follow Roberts' Rules of Order and the Town Attorney shall act as parliamentarian; and

RESOLVED, that the Agenda shall be prepared under the direction of the Mayor and, additionally, each Commissioner should he or she desire any business be placed on the Agenda shall so make a request to the Mayor; however, should the Mayor for whatever reason decline this request for a given Agenda, then the request by a second Commissioner shall make it mandatory that the item be placed on the given Agenda as required by the first Commissioner; and

RESOLVED, that an item on each Agenda shall be designated as "Public Comment" intended to give citizens an opportunity to speak on any subject; speakers will be given up to four (4) minutes to speak unless the time period is changed by vote of the Board of Commissioners at that meeting; further this Public Comment item will be placed on the Agenda after "Items to be Added to the Agenda"; and

RESOLVED, the necessity for a Closed Session will normally be listed on the Agenda when possible, however, if it is not possible, the individual Commissioner requesting the Closed Session shall contact all Board members, the Mayor, the Manager and the Attorney as time will allow; and

RESOLVED, any Commissioner or the Mayor with just cause may request an item on the printed Agenda be deferred; it shall be the policy of the Board of Commissioners to defer the said requested Agenda item until the next regular meeting of Council, absent any compelling reason not to defer the item (normally absence of a Commissioner by itself is not just cause to have an item deferred); and

RESOLVED, any item that needs to be added to an already printed Agenda will be announced at the beginning of each meeting, however, items to be added should only be added to the Agenda when time is a necessity; and

RESOLVED, there is hereby established as a part of each Agenda as required an item to be designated as "Consent Agenda" and the items listed under the Consent Agenda will be voted on cumulatively in one motion unless a Board member requests to deal with any items on the Consent Agenda individually.

RESOLVED, this the 9th day of December 2019.

ATTEST:


Town Clerk Lori Canapinno


Mayor John F. Higdon